

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CONTRARIAN CAPITAL MANAGEMENT,
L.L.C., CONTRARIAN CAPITAL FUND I,
L.P., CONTRARIAN DOME DU GOUTER
MASTER FUND, LP, CONTRARIAN
CAPITAL SENIOR SECURED, L.P.,
CONTRARIAN EM II, LP, CONTRARIAN
EMERGING MARKETS, L.P., POLONIUS
HOLDINGS, LLC, and CONTRARIAN
FUNDS, L.L.C.,

Plaintiffs,

v.

BOLIVARIAN REPUBLIC OF VENEZUELA,

Defendant.

Case No. 19 Civ. 11018 [rel. Nos. 19
Civ. 3123 & 18 Civ. 11940]

Hon. Analisa Torres

**SUPPLEMENTAL DECLARATION OF LEWIS B. SCHWARTZ IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

LEWIS B. SCHWARTZ declares as follows pursuant to 28 U.S.C. § 1746:

1. I am the Chief Operating Officer of Contrarian Capital Management, L.L.C., an investment adviser for certain investment funds and separately managed accounts (the “Contrarian Funds”) that hold beneficial ownership of the bonds at issue.

2. I submit this Supplemental Declaration in support of Plaintiffs’ motion for summary judgment based upon my personal knowledge of the transactions set forth in this Supplemental Declaration and upon my review of the books and records of Contrarian Capital Management, L.L.C. If called as a witness, I could and would testify competently to the matters set forth in this Supplemental Declaration.

3. As stated in my Declaration dated May 13, 2020, Plaintiff Polonius Holdings, LLC is the beneficial owner of, among other Bonds, a principal amount of \$55,814,000 of 7.00% 2018 Bonds (ISIN No. USP97475AD26).

4. Under the terms of the 7.00% 2018 Bonds, beginning on June 1, 2004, half of the annual interest payment owed on the 7.00% 2018 Bonds – 3.5% – is due biannually on December 1 and June 1 of each year. The principal on the 7.00% 2018 Bonds was due on December 1, 2018. Under the terms of the 7.00% 2018 Bonds, if Venezuela fails to redeem the 7.00% 2018 Bonds when they come due (which it did), interest continues to accrue beyond the due date until the 7.00% 2018 Bonds are actually redeemed.

5. Venezuela previously failed to make coupon payments on the 7.00% 2018 Bonds on December 1, 2017, June 1, 2018, December 1, 2018, June 1, 2019, and December 1, 2019.

6. On June 1, 2020, Venezuela failed to make the bi-annual coupon payment due on the 7.00% 2018 Bonds.

7. As of June 12, 2020, Venezuela owes Plaintiff Polonius Holdings, LLC the following total amounts in unpaid interest and unpaid principal (not including unpaid New York statutory prejudgment interest) on the 7.00% 2018 Bonds:

Issuance	Principal Amount	Accrued Coupon Interest	Overdue Principal	Accrued Coupon Interest + Overdue Principal
7.00% 2018 Bonds	\$55,814,000.00	\$11,838,362.90	\$55,814,000.00	\$67,652,362.90

I declare under penalty of perjury that the foregoing is true and correct.

Executed: June 12, 2020
New Rochelle, New York

A handwritten signature in black ink, appearing to be 'LBS', with a long horizontal stroke extending to the right.

Lewis B. Schwartz
Chief Operating Officer
Contrarian Capital Management, L.L.C.